

REMARKS

Claims 1-4, 8-18, 20-24 and 29-35 were pending in the application. By this paper, claims 10, and 15 have been canceled herein without prejudice, claims 1, 8, 13, 14, 24, and 34 have been amended. Thus, claims 1-4, 8-9, 11-14, 16-18, 20-24 and 29-35 remain pending of which, claims 1, 13 and 24 are independent. Reconsideration and withdrawal of the various rejections are hereby respectfully solicited in view of the foregoing amendments and the following remarks.

Independent claim 1 has been amended to include all the limitations of canceled claim 10, which the examiner has indicated as being allowable if rewritten in independent form. Independent claim 13 has been amended to include all the limitations of canceled claim 15, which the examiner has also indicated as being allowable if rewritten in independent form. Claims 1, 8, 13, 14, and 24 have been amended to substitute the term “at least one” for the term “one or more” as suggested by the examiner. Claim 34 has been amended to correct dependency.

Claim Rejections - 35 U.S.C. §112

Claims 8, 10, 14, 15, and 24 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite for the use of the term “or” as the examiner states that the term renders the claims indefinite because it is unclear which one of the two nonequivalent alternatives the applicant is setting forth. In view of the following remarks, the rejections based on 35 U.S.C. §112, second paragraph are believed to be overcome.

Specifically, claims 1, 8, 13, 14, and 24 have been amended to substitute the term “at least one” for the term “one or more”. It will be noted, however, that the amendments to overcome the rejection under 35 U.S.C. 112, second paragraph have been made per the examiner’s suggestion of preferred claim language and not due to patentability concerns. Specifically, the applicants note that the relevant amendments do not change the scope of the claims as previously presented since the term “one or more” is equivalent to “at least one” and despite the examiner’s rejections, alternative expressions using “or ” are acceptable claim limitations. *See MPEP §2173.05(h).*

Claim Rejections - 35 U.S.C. §103

Claims 1-4, 9, 11-13, 16-18, and 20 have been rejected under 35 U.S.C. §103(a) as obvious over Van Der Meer, U.S. Patent No. 1,732,113 (“Van Der Meer”) in view of

Slingerland Jr., U.S. Patent No. 4,117,627 ("Slingerland"). In view of the following remarks, the rejections based on Van Der Meer and Slingerland are believed to be overcome.

Independent claim 1 has been amended to include all the limitations of claim 10, which the examiner has indicated as being allowable if rewritten in independent form. Independent claim 13 has been amended to include all the limitations of claim 15, which the examiner has also indicated as being allowable if rewritten in independent form. Accordingly claims 1 and 13 are allowable.

Claims 2-4, 9, and 11-12 16-18 and 20 depend upon either independent claim 1 or independent claim 13. Accordingly, claims 2-4, 9, 11-12, 16-18 and 20 are also allowable.

The applicants have amended the foregoing claims to conform to the examiner's current determination of allowable subject matter. The amendments presented herein should not be construed as an admission of agreement by the applicants with the examiner's reasoning in rejecting the claims, but rather it will be noted that the applicants make the current amendments in order to better place the current application in condition for allowance. In doing so, the applicants do not intend to abandon the scope of any previously presented or canceled claim, but reserve the right to pursue claims of varying scope in any continuing application.

Allowable Subject Matter

The applicants note with appreciation the indication by the examiner that claims 10 and 15 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph and to include all the limitations of the base claim. As noted above, claims 1 and 13 have been amended to include the limitations of claims 10 and 15 respectively, and have additionally been rewritten to overcome the noted rejections. Therefore, claims 1 and 13 are allowable.

The applicants also note with appreciation the indication by the examiner that claims 24 and 29-35 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph. As discussed above, claim 24 has been amended to overcome the noted rejection, and claims 29-35 depend thereon. Therefore, claims 24 and 29-35 are allowable.

CONCLUSION

In view of the foregoing the above-identified application is in condition for allowance. In the event there is any remaining issue that the examiner believes can be resolved by a telephone conference, the examiner is respectfully invited to contact the undersigned attorney at (312) 423-3454.

No fee is believed due at this time. However, the Commissioner is hereby authorized to charge any fee deficiency, or to credit any overpayment, to Deposit Account No. 13-2855 of the undersigned's firm.

Respectfully submitted,



Keith R. Jarosik
Reg. No. 47,683
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Dr.
6300 Sears Tower
Chicago, Illinois 60606
(312) 474-6300

February 20, 2004